BUSINESS ADVOCACY FUND / KENYA

BAF Case Studies

Key Wins for Kenya's Business Member Organisations

THE BUSINESS ADVOCACY FUND
Supporting Private Public Dialogue

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The Business Advocacy Fund

The Business Advocacy Fund (BAF) supports business member organisations (BMOs), trades unions and civil society organisations that engage in private public dialogue and advocate for improvements in the business environment in Kenya. BAF operates with the belief that effective advocacy will lead to investment that encourages more jobs, and that strengthens the Kenyan economy. Between 2006 and 2011 BAF supported more than 70 BMOs affect legislation and steer government policy in a manner that enables Kenyan businesses.

The Purpose of this Report

The case studies described in this report offer a snapshot of the key achievements and policy wins that Kenya's Business Member Organisations have successfully achieved with the help of BAF support. These snap shot studies have been taken from the broader study that assesses primarily BAF phase one and the initial BAF phase two funded projects. The above collection has been assembled in order to draw the audience's attention to the important role business advocacy plays in sustainable economic development.

Front cover photo: Neil Palmer/CIAT

Referencing: The BAF Impact Assessment 2011 written by Mary Githinji

Created by: Laura Onslow, Rebecca Cockayne, Ben Walker

KAHC ensures hotel prices are customer friendly

In 2011 the National Environment Management Authority (NEMA) required strict compliance with the Environmental Management and Controls Act (EMCA). In practice this meant all hotels and restaurants needed to have three water management licences to legally operate - all of which cost a standard price irrespective of an establishment's size. The licences also needed to be renewed on an annual basis costing each business KShs. 315,000 (3550 USD) per year. The Kenya Association of Hotelkeepers and Caterers (KAHC) wanted to reduce the cost of compliance with NEMA regulations to ensure that smaller businesses remained competitive.

With the help of BAF funds KAHC arranged a roundtable with government representatives enabling them to influence the drafting of new regulations. This resulted in the introduction of a tiered licence fee system proportionate to the size of the establishment and a change in reporting procedures - businesses now only need to report quarterly, rather than on a daily basis significantly reducing the cost of compliance.

Outcome

It is estimated that these policy changes have reduced operating costs for small, independent businesses saving each one approximately KShs. 75,000 (1000 USD) per year. Based on these changes it is estimated that the hotel industry has saved more than KShs. 68 million (approximately 0.75 million USD) in licencing fees and an estimated KShs. 250 million (2.8 million USD) on payroll. These savings have helped the hotel industry maintain customer friendly prices, encouraging Kenya's tourism industry remains globally competitive.

Kitale becomes business friendly thanks to KNCCI

The Single Business Permit (SBP) had been introduced in Kitale to streamline the processing of business permits. The by-law was meant to provide the business community with a clear understanding of permit rates, as well as the permit process. However, initial efforts to implement the SBP initiative had been unsuccessful, due to a lack of compliance with SBP regulations on the part of the Municipal Council.

KENYA NATIONAL CHAMBER OF COMMERCE & INDUSTRY

The Kenya National Chamber of Commerce and Industry (KNCCI-Kitale) sought funds to advocate for the effective implementation of the 'Single Business Permit' (SBP). The KNCCI first conducted research on SBP compliance. They found that the local council only complied with SBP policy 65 per cent of the time because junior officers did not understand the rules and procedures required. Based on these findings the KNCCI reassessed the implementation of the SBP. A new fee scheduled was subsequently agreed. Furthermore, a chamber member was relocated to the county level administration to support local staff and advice local businesses, helping ensure compliance with the SPB.

Outcome

Correct implementation of the SBP has greatly improved the business permit application process. Permits now take less than 30 minutes to process, instead of 10-15 days. This has led to more business owners complying with permit regulation. In turn, compliance rates have jumped from 40 per cent to 80 per cent.

Businesses no longer gain from bribing officials, as it is cheaper, in terms of time and money, to pay for the business permit. This has led to a threefold increase in the revenue from business permits to the council. Furthermore, KNCCI-Kitale's membership has increased from 300 members in 2007 to 2000 members in 2013, strengthening the organisation's advocacy position.

KIF grows business confidence in e-commerce

The Kenya ICT Forum (KIF) and its members believed that the e-commerce industry could significantly contribute to Kenya's national economic development and competitiveness within the global market. They felt a new legislative framework tailored to e-commerce practices would support this. Although the e-Government Directorate had drafted relevant e-Commerce legislation, KIF felt that the current National ICT Policy also needed to be amended (to incorporate e-Commerce policy objectives). KIF approached BAF to support an advocacy project seeking to create a legal framework that would encourage e-Commerce.

Outcome

Thanks to KIF's effective advocacy, the Kenya Communications (Amendment) Act of 2008 was brought into effect. Notably it included provisions that ensured digital transactions were legally binding and could be produced as evidence in court of law. Businesses now feel confident in trading on the internet and through mobile platforms.

Photo Marcie Casas

The PGA ensures re-vitalizes Pyrethrum flower production

In the early 1990s Pyrethrum flower production was a blossoming industry; in 1993 alone 221 tonnes of pyrethrum extract were produced. However, the industry was governed by the Pyrethrum Act 1963, which was out-dated and did not necessarily apply to modern day practices. Farmers also lacked the incentive to grow the flower: a significant number of Government arrears owed to farmers were left outstanding and there was only one purchaser of Pyrethrum extracts - the government run Pyrethrum Board of Kenya (PBK). These two factors significantly constrained the sector, resulting in extract production dropping to just 10 tonnes in 2007. Although, the government had made several commitments to remove constraints on the Pyrethrum sub-sector, a revised Pyrethrum Bill, drafted in 2000, was still awaiting Parliamentary debate in 2010. The Pyrethrum Group Association (PGA) hoped to reinvigorate the sector further.

With the help of BAF funds the PGA advocated for the re-drafting of the Pyrethrum Bill. In doing so they hoped to ensure the incorporation of amendments that would truly benefit the sector.

The PGA had two key objectives:

- Ensure the PBK paid outstanding arrears to farmers, and;
- Ensure the new bill encouraged the liberalising of the sector.

Outcome

After successful lobbying, the Pyrethrum (Amendment) Act of 2013 became law. It included provisions encouraging the liberalisation of the sector and that ensured farmer representation on a newly established Pyrethrum Board. Thanks to the PGA, the Government also allocated more than KShs. 500 million (5.6 million USD) to pay outstanding arrears owed to farmers too. Since the implementation of the Act, an estimated 60,000 farmers have replanted Pyrethrum and production has increased by 250 metric tonnes over recent years.

Photo Rachel Kibui / IRIN

KSC Facilitates Cross Border Trade

Transport costs have a direct effect on the cost of goods, and as such, are a material factor in determining the competitiveness of Kenya's manufacturing sector. The Shippers Council of Eastern Africa (previously named the Kenya Shippers Council, KSC) wanted the transport of goods to be more efficient, reliable, and cheaper. Noting that the port of Mombasa was not operating at maximum capacity and observing several points of development, the KSC believed amendment of Mombasa port's operational procedures would help reduce the cost of goods. In 2008, with the support of BAF funds, KSC engaged with local port authorities and the national government to improve the port's operation. To do so the KSC became extensively involved in the drafting of the Kenya Maritime Act (2009).

Outcome

Thanks to KSC participation, the new Maritime Act removed clauses that had previously indemnified the KPA from losses incurred by shipping and shipping lines. It also extended the port's hours of operation and made improvements to the clearing system. In 2013, the Port of Mombasa Charter was also introduced committing all government institutions involved in the Port to certain key performance indexes.

The above changes have greatly improved port operation. In 2008, containers took an average of 13 days to process but, thanks to the Act's passing, this had been halved, averaging only 5.6 days in 2012. This has led to a faster delivery of port cargo and has reduced the cost of cross border trade. According to the East Africa logistics survey the changes in port operation have led to increased container traffic, with traffic reaching more than 900,000 Twenty-foot Equivalent Units in 2012 - a 47 per cent increase in traffic flows since 2008.

LPA Kenya levels the ICT playing field

Section 34 of the Public Procurement and Disposal Act 2005 provides that the Kenyan Government should issue tenders though an open and competitive process. However, many tenders were in contravention of the act resulting in submissions disclosing the applicant's software brand name. This left local applicants, who often used unbranded, free and open source software at a competitive disadvantage. With the help of BAF funds, the Linux Professional Association of Kenya (LPAK) sought to create a more impartial process that did not disadvantage local applicants.

LPAK engaged with the regulatory authority, the Public Procurement Oversight Authority (PPOA), to expedite the issuing of ICT procurement guidelines and to increase the oversight of the PPOA. Moreover, they ensured the guidelines emphasised that a company's brand name was not required.

Outcome

Increased oversight by the PPOA has resulted in the award of larger contracts to local firms; since the ICT guidelines were released several free and open source software propositions have been awarded Government contracts. In 2011, Alliance Technologies was awarded a KShs. 20 million (225,000 USD) by the Kenya Revenue Authority (KRA) and in 2009 Kenya Medical Supplies Agency was awarded a KShs.315 million (3.5 million USD) government contract. This has encouraged local job creation, the development of local IT skills and local innovation.

The government has also benefitted from having better IT solutions implemented at a lower cost. Recent reports suggest that the open source solutions have reduced government expenditure by 20 per cent and will continue to save a further 80 per cent on expected expenditure by 2015.

ACTIF supports the export of Kenyan cotton

The African Cotton and Textiles Industry Federation (ACTIF) approached BAF to fund an advocacy project on behalf of 24 national BMOs from 18 Sub-Saharan African countries to ensure export of African products to the US market.

This Act was introduced by US congress to uphold the concept of “trade not aid” between the US and Sub-Saharan African countries. The African Investment Incentive Act (2006) had extended parts of the AGOA until 2015. However, it had not extended all provisions; ACTIF believed this needed to be amended.

ACTIF also believed that the soon to be introduced Duty Free Quote Free (DFQF) status, that granted certain Asian countries duty free imports, would expose the African Cotton industry to unfair competition.

With the help of BAF funds, ACTIF sought to lobby the US government to defer the introduction of the DFQF and extend the provisions of the AGOA Act.

ACTIF African Cotton & Textile Industries Federation

Outcome

With the help of grant funds ACTIF conducted extensive research, consulted with stakeholders and engaged in dialogue with US policy makers. By lobbying the US government, ACTIF was able to maintain the duty free status of African cotton imports until the expiry of the AGOA in 2015.

These actions have not only enabled the cotton sector to stay operational but also stimulated sector growth. From 2011 to 2013 Kenyan imports to the US grew by approximately 4.63 million USD. Effective advocacy has also led to a close relationship between ACTIF and the government’s AGOA unit, enabling ACTIF to directly contribute to the continued development of the cotton industry.

Photo: actifafrica.com

KVA increases the export of Kenyan meat products

The export of meat products to international markets requires compliance with strict regulations. Several efforts had been made to adhere to international standards, however the Kenya Veterinary Association (KVA) believed further regulation might encourage an increase in exports. Export market regulations require verifiable evidence that animals have been correctly certified as disease free. However, given that veterinary paraprofessionals in Kenya were not required by law to register their practice, there was little way of verifying an animal's disease free certification. The KVA believed that proper identification of para-veterinarians would enable Kenyan farmers to better adhere to international standards and help verfiy how animals had been reared.

Outcome

With the help of BAF funds, the KVA successfully lobbied for the creation of the Veterinary Surgeons and Veterinary Paraprofessionals (VSVP) Regulations of March 2013. The regulations required that all veterinary professionals register with the Kenya Veterinary Board and encouraged continued professional development. Since the regulations came into effect, 400 new veterinary surgeons and 3,200 paraprofessionals have registered with the board.

The registration of veterinary professionals and strict adherence to these new regulations has resulted in an increase in the trade of meat products. From 2007 to 2011, the export of meat and animal products from Kenya have doubled, and are shipped two new markets - Mauritius and the Middle East. By 2013 the KVA also gained 600 new members thanks to its lobbying efforts.

The KLMC improve the functioning of livestock market

In 2006 the Kenya Livestock Marketing Council (KLMC) entered into partnership with various county councils to manage local livestock sale yards. It had been agreed that livestock yards would be managed by Livestock Marketing Association (LMAs), with LMA officials elected by the communities living near the yards. While, the LMAs were to provide services such as security, market promotion, infrastructure maintenance, and market hygiene, they could not undertake their duties effectively. This was partly because county council members were also empowered through bylaws to collect fees and manage the sale yards. The KLMC believed an alternative organisational structure and an alternative management system would be beneficial for both the community and the county councils.

Outcome

With the help of BAF funds the KLMC managed to align the activities of LMA's and County Councils. Since KLMC's engagement, 36 livestock markets have implemented public private partnership agreements with 12 county councils. Many of these agreements stipulate that revenue from yard fees should be shared between LMA and County Councils ensuring that both LMA's and county councils interests align. The implementation of this new management structure has resulted in sales figures six times higher than in markets were the management remained unchanged.

KENYA LIVESTOCK
MARKETING COUNCIL
The voice of pastoralists

KENAPOFA increases Potato Farmers' income

In Kenya, the potato value chain approximately employs 2.5 million people;[1] many are small scale farmers who also grow 83 per cent of all potato crops. For years, potato farmers were obliged to sell their produce by 'the bag' rather than by weight. The price a farmer received at market for their produce was therefore not dependent on the amount of potatoes supplied, but on the size of the bag. However, the size of bags used in potato production varied from 130kg to 280 kg once sealed resulting in produce fetching an arbitrary market price that did not reflect the amount of produce. The Kenya National Potato Farmers' Association (KENAPOFA) sought to ensure farmers received a fair price for their crop on a consistent basis.

Outcome

With the help of BAF funds, KENAPOFA successfully advocated new legal provisions which required all bags to have a weight limit of 110kg. Several steps were also taken to encourage potato farming. Firstly, a National Potato Council (NPC) was formed to oversee and resolve the issues of potato farmers. The Ministry of Agriculture introduced a potato desk office in both national and county offices too. It is estimated that this enforcement of legislation has directly impacted 800,000 farmers, resulting in an aggregate increase in revenue of KShs. 3.5 billion (38.9 million USD).

Furthermore, at the beginning of 2014 new laws were passed to standardize the potato bag to 50kg per bag. It is estimated that this new standardization provides an additional KShs. 4,335 to each potato farmer per year.

Photo: Neil Palmer Photography / CC BY-SA

[1] Janssens SRM et al. (2013) The value chain for seed and ware potatoes in Kenya: Opportunities for development. (LEI. DLO Foundation) www.rvo.nl

ICPSK improves the public access to unclaimed dividend

In 2006, there were approximately KShs.1.2 billion (13.6 million USD) of dividends unclaimed by shareholders of public companies. Under Kenyan law, if dividends were unclaimed for more than six years there was no obligation to pay them. Furthermore, it was difficult for shareholders to claim dividends due to restrictive laws concerning their location, and laborious administrative procedures. The Institute of Certified Public Secretaries of Kenya (ICPSK) wanted to ensure shareholders did not lose their rights to their dividends.

In June 2006, the Minister of Finance announced the creation of a new Capital Markets Investor Compensation Fund that allowed shareholders to access funds wherever they were located. The ICPSK requested a grant from BAF to ensure the regulation of this new fund would comply with international best practice.

Outcome

In 2011, the Government brought into effect the Unclaimed Financial Assets (UFA) Act. The Act created an authority to manage unclaimed assets and act as custodian of assets on behalf of warrant holders. The Act made it compulsory for banks to report unclaimed assets and actively seek the owner if necessary. It set a standard duration as to when an asset could be deemed unclaimed, introduced penalties for institutions that failed to comply with legislation, and stipulated how and when assets should be sold. The passing of this Act has also facilitated the process of the development of a regulatory framework to guide, protect and safeguard assets.

FPEAK saves Kenya's EU Market Access

The Fresh Produce Exporters' Association of Kenya (FPEAK) sought to influence the Economic Partnership Agreement (EPA) being negotiated with the EU, and in particular, to preserve Kenya's EU market access for horticultural produce. At the time, the sector directly employed 500,000 people directly and 1.5m indirectly and accounted for 67 per cent of Kenya's trade with the EU. A failure to secure an agreement was expected to cost the country as much as KShs. 5.6 billion per annum in lost exports, of which horticulture accounted for KShs. 1.25 billion (13.9 million USD).

Outcome

With the help of BAF funds, FPEAK worked in close collaboration with other countries in East and Southern Africa and was successful in achieving their objectives for the interim EPA signed by the Government of Kenya in 2007, with the final EPA is now due to be signed in 2014. Reports estimate that the total benefit to date is in excess of KShs 2.376 billion (26.3 million USD) when considering the value of exports preserved.

KAM raises the profile of private sector in political reform

The 2007/08 Post Election violence had a great impact on the business community in Kenya. There were over 1,000 lives lost and displacement of 300,000 Kenyans; businesses suffered immense losses in terms of staff, property, sales and investment confidence. There were fears that there would be a further contraction of the market leading to further losses - political unrest was the main obstacle to businesses and economic stability.

The Kenya Association of Manufacturers (KAM) approached BAF to establish a “think tank” that would engage the private sector on issues of political crisis. Specifically, KAM wanted the think tank to inform, engage and contribute to political and constitutional reforms in order to minimise the effect previously political unrest on businesses and economic stability – and to mitigate future risk.

Outcomes

KAM has used the think tank to engage directly with the government on private sector issues concerning institutional reform and economic growth and bring the interests of the private sector to the fore. Indeed, the creation of the think tank has led to the development of the National Business Agenda, which has been used to deepen and centralize public private dialogues around business issues. Several items proposed on the NBA have since been implemented by government. These include:

- A 24 hour economy at the Port of Mombasa with electronic systems to clear cargo and the expansion of the cargo terminal;
- Reduced delays at weigh bridges and privatization of weighbridges;
- An MSE Act and a financial scheme for small and medium enterprises, and;
- The enactment of Anti-counterfeit Act of 2008.

KAM were also able to influence the Constitutional reform process. In 2008 KAM were invited to committee meetings to provide views on the impact of proposed constitution to industry and subsequently contributed to the review of the harmonized draft constitution. During these reviews, KAM were successful in making changes to the land chapter, boosting the confidence of foreign land owners and encouraging inward foreign direct investment.

Thanks to the creation of the think tank, KAM can engage with the government in an informed and effective manner and able to highlight priority issues impacting businesses.

Improving Biosafety in Kenya

The African Biotechnology Stakeholders’ Forum (ABSF) wanted to create a more food secure Kenya, and improved livelihoods of Kenyan farmers. They believed effective regulation, that encouraged the secure use of biotechnology, would do so. They approached BAF to fund the development of a Biosafety regulatory framework that would minimise the risk of biotechnology to human health and the environment but that would also maximise the economic benefits associated with biotechnology for poor small scale farmers.

ABSF intensely engaged with key stakeholders in the public and private sectors including Ministry of Agriculture, the Kenya Agricultural Research Institute, and the National Biosafety Authority to develop a working regulatory framework. The main success of this project is the creation of a policy standard for labelling genetically modified organisms and derived products intended for food use. This policy standard was presented in the Kenya Gazette Supplement No. 17 of 2012, and is currently under implementation.

STAK modernizes and liberalizes the Kenyan seed market

The Seed Trade Association of Kenya (STAK) felt existing law limited the availability of planting material to farmers and the activities of seed distributors. STAK also felt that liberalising the industry, and providing greater autonomy to the private sector, particularly in relation to the seed certification process, would improve the production, import and distribution of seeds. To achieve this STAK advocated several changes, including the establishment of an effective regulatory authority, the incorporation of international standards into existing regulatory frameworks, simplification of existing processes and the drafting of a Seed Policy Paper to inform future regulation.

Outcome

With the help of BAF funds, STAK successfully lobbied for a simplification of the seed trial process. New laws have been passed which shorten the testing time for new seed varieties to only two seasons prior to commercialisation – previously the law had stipulated three years. Legislation now allows the private sector to carry out testing trials where government bodies' may not have the capacity to do so and the plant variety protection laws and regulations have been updated, allowing Kenya to participate fully in the international arena. This simplified and shortened process has resulted in the faster release of new seed varieties, and given Kenyan farmers access to new seed varieties. Thanks to STAK efforts a national performance trials committee now ensure the development of seed strains remains commercially viable too.

The STAK's Seed Policy Paper now enables Acts and regulations on different components of seed trade to be made. This has given the opportunity for STAK to continue towards making reforms in specific sub sectors; regulations pertaining to plant breeders' rights and seeds regulations and the provision of protection and sustainable management of genetic resources for food and agriculture.

In light of an improved dialogue between the Government and the private sector, the system of regulations for the industry is organized and efficient. There is also increased opportunity for seed companies to invest, expand and trade with other countries.

EATTA supporting Kenya's Tea Farmers…

In Kenya, approximately 560,000 farmers working across 15 different counties earn an income from the tea industry. In 2008 new legislation was proposed that would give the Minister of Agriculture and the Tea Board of Kenya (TBK) powers to cancel tea licences and just 30 days to appeal licence revocation. The proposed legislation also required farmers to register with the tea board despite existing practices stipulating that farmers register with factories. The East African Tea Trade Association (EATTA) believed these changes would fragment the tea market, erode established economies of scale enjoyed by their existing operational co-operatives, and make the industry a riskier investment.

EAST AFRICAN TEA TRADE ASSOCIATION
"facilitating a world class trading platform for African teas"

Outcome

In 2010, ETTA successfully lobbied to revise these proposals and to create a more favourable business environment. To do so the EATTA developed a position paper detailing the challenges in the tea industry and proposed amendments. They had meetings with key Ministers within the Ministry of Agriculture and the chair of the Parliamentary Committee for Agriculture. Effective lobbying resulted in the passing of the Tea amendment Bill. This bill contained provisions reflecting the views of the EATTA, stipulating that farmers should register with factories as opposed to the TBK. This has helped ensure that farmers are able to sell their products and ensure that tea companies continue to enjoy economies of scale.

Photo: Musicfiend / CC-BY-SA

Stopping the production and sale of counterfeit pesticides

The Agrochemicals Association of Kenya (AAK) wanted to advocate amendments to the Pest Control Products (PCP) Act. According to the Act, the PCP Board was responsible for regulating the buying and selling of pesticides, however the production and sale of counterfeit pesticides still occurred at a relatively high level. Consequently, buyers lost trust in Kenyan pesticides, producers of legitimate products made losses and farmers inadvertently used pesticides that damaged crops. AAK sought to advocate for the Regulator (PCPB) to be strengthened in order to undertake effectively their functions as an autonomous parastatal organisation. The AAK wanted to see the introduction of significant fines or jail time for those producing and selling counterfeit pesticides and the development of a stronger and more independent PCPB to discourage markets for counterfeit goods.

Outcome

With the help of BAF funding, AAK engaged with Pest Control Products Board (PCPB), Director of Veterinary Services (DVS), the Ministry of Agriculture and the Livestock Development Water and Irrigation Board to advocate successfully amendments to the PCP Act, improving sector regulation. Since AAK's involvement new laws have been introduced that act as a strict deterrent to counterfeit activity. As of 2010 counterfeit activity attracts fines of at least KShs. 250,000, or up to two years imprisonment – prior to the act the penalty for counterfeit activity was a fine of KShs. 5,000. The above amendments have led to a significant reduction in counterfeit activity, leading to a reduced loss in food production caused by low standard pesticides. Had AAK not advocated the above amendments it is estimated the sector would have lost 10-15 per cent in revenue per annum. Both pesticide producers and farmers now have a better opportunity to grow their businesses sustainably.

AAK's continuous engagement with key stakeholders, such as the Ministry of Agriculture, has also mitigated the negative impact of further legislative changes. For example, the Government had intended to merge all laws governing the agricultural sector and subsume the aforementioned PCP act into the Agriculture, Fisheries and Food Authority Act (2013). This would have had a significant impact on sector specific issues. Due to AAK's capacity to engage the government in dialogue, the PCP Act remains as separate legislation, preventing the renegotiating of previous policy wins.

KEPSA encourages entrepreneurialism

The Kenyan government had extensively explored ways to improve the business environment for Micro, Small and Medium Enterprises (MSMEs). However, research was yet to be translated into a legal framework. In light of the Government's efforts, the Kenya Private Sector Alliance (KEPSA) wanted to encourage the drafting of an MSME bill and ensure it would incorporate the views of the MSME community too. KEPSA also sought to have a clear responsibility within government for MSME matters as well as adequate representation of the sector on related public boards, believing this would build on initial efforts to encourage Kenya's entrepreneurs.

Outcome

With the help of BAF funding, KEPSA successfully advocated the formation of an MSE Authority with a mandate to regulate the sector. This new authority monitors and evaluates the growth of the sector, and raises resources for development. Importantly, umbrella MSME associations are included on the board of the MSE Authority, ensuring that its activities align with the interests of the MSME community.

KEPSA also successfully advocated an MSE fund to finance the promotion and development of micro and small enterprises with the government allocating 4.8 Billion KShs. (53 million USD) in 2012/2013 to the fund.

Finally, KEPSA successfully lobbied for the formation of the MSE tribunal, specifically created under the judicial service commission to settle disputes specific to MSEs. It is expected that these changes will improve access to finance for MSMEs and provide a simplified process of settling disputes and ensure Kenya's business environment in entrepreneur friendly.

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